



UNITED STATES
ATTORNEY'S OFFICE
DISTRICT OF COLUMBIA

Community
Prosecution

The Court Report

2nd Police District February 2004

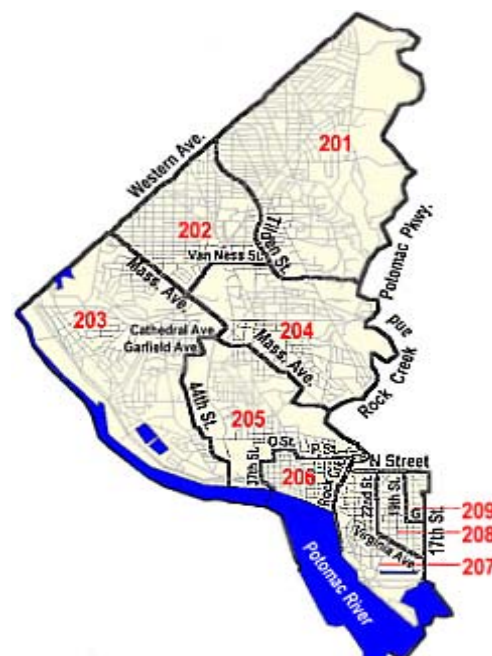
Building Safer Neighborhoods Through Community Partnership

SUMMARY OF RECENT COURT CASES

- **Kevin Carroll and Vincent Simmons** interrupted by police minutes before commencing armed robbery of CVS store on Connecticut Avenue near Van Ness Street are sentenced to six years incarceration for Conspiracy and Weapons offenses.
- **Pierre Mercer** pleads guilty to Armed Robbery, and Conspiracy to Commit Armed Robbery.
- **Jesse Baker**, 26, sentenced to four-year prison term for stalking and threatening ex-girlfriend.
- **Rodney Burton** is found guilty of Possession of Cocaine found during traffic stop at Jefferson Drive, NW and Connecticut Avenue.

A detailed descriptions of these and other cases from the 2nd District are provided inside of this report.

THE 2ND POLICE DISTRICT



Contact Numbers

2D Homicide/Major Crimes Section Chief	
Dan Friedman	202-514-7423
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2ND DISTRICT COMMUNITY PROSECUTION UPDATE



Identity Fraud. Did you know that the D.C. City Council recently enacted emergency legislation adding to the existing Fraud statute a provision for Identity Theft? This new felony statute is consumer friendly. It requires MPD to prepare a police report for each complaint and to provide a copy of the report to the complainant in order to facilitate any remedial action taken by the complainant to correct records altered or falsified in the course of the identity fraud. MPD has created an Identity Theft/Fraud Unit that can be contacted by telephoning (202) 727-4159.

The COURT REPORT

Conspirators interrupted by police minutes before commencing armed robbery of CVS store on Connecticut Avenue near Van Ness Street are sentenced to six years incarceration for Conspiracy and Weapons offenses. (F-6255-02, F-6257-02 and F-6261-02; PSA 201)

FACTS: The Honorable Susan Winfield sentenced Kevin Carroll and Vincent Simmons to six years incarceration on conspiracy and weapons offenses, following their guilty pleas to Conspiracy (to commit armed robbery), and Carrying a Pistol without a License (by a convicted felon). The third defendant, Gerald Haskell, who was younger, not previously convicted, and who played a lesser role in the conspiracy, was placed on three years probation and ordered to undergo drug treatment.

The evidence at the plea proceeding established that, in early September of 2002, Kevin Carroll, Vincent Simmons and Gerald Haskell planned to rob the CVS drugstore on Connecticut Avenue near Van Ness Street, N.W. Defendant Kevin Carroll was a former employee of the Van Ness CVS, and provided the inside information the conspirators used to develop their plan. Defendant Vincent Simmons obtained the two pistols the robbers brought with them, when they drove from Simmons' apartment in Southeast, D.C., to Connecticut Avenue, on September 25, 2002, to commit the robbery. Defendants Simmons and Carroll were armed with pistols, while Haskell had a knife. The robbers also had gloves (Haskell had a pair of socks, for his hands), and various masks and bandanas to cover their faces. The three men hoped to get approximately \$30,000 from their planned heist.

The robbers parked on Albemarle Street, N.W. at approximately 9:30 p.m., planning to wait until just before the store closed at 10:00 to enter and commit the robbery. However, the robbery was thwarted when an alert resident of the 3000 block of Albemarle Street noticed the three men sitting in a car near the front of his house, and then observed one of the men exit the car and urinate on his property. This resident called 911. Police arrived quickly and approached the parked car, at which point the car immediately attempted to depart. One of the officers, believing that the men were driving their car directly at him, drew his weapon and fired several shots at the suspects' car. The car fled, and following a short chase across Connecticut Avenue, crashed into several vehicles near Connecticut and Appleton Streets, N.W. The three men fled on foot, but were all captured nearby.

Second District Detective Michael Ross, who also obtained the confession of defendant Haskell on the night of the incident, skillfully directed the investigation of this case. Praise also goes to Sgt. Michael Kuchinsky, U.S. Secret Service, Uniformed Division, whose personnel caught two of the robbers, and who helped organize the investigation of that part of the case. Assistant United States Attorney Roger Kemp prosecuted the case on behalf of the government.

Pierre Mercer pleads guilty to Armed Robbery, and Conspiracy to Commit Armed Robbery. (F-6695-03; PSA 208)

FACTS: Pierre Mercer, age 19, of the 2300 block of Altamont Place, SE, pled guilty before the Honorable Susan H. Winfield, to Armed Robbery, and Conspiracy to Commit Armed Robbery. According to the government's evidence, Pierre Mercer and three accomplices drove to Georgetown together on the evening of June 29, 2003, to rob people. They brought an imitation pistol with them to use in the robberies. The evidence showed it was Mercer who came up with the idea, and the gun. That night, shortly before midnight, the defendant and one of his accomplices robbed a man in the 2700 block of Olive Street, NW, beating him in the face with an unknown object. Less than an hour later, the defendant and another accomplice committed another robbery, this time robbing two George Washington University students at gunpoint.

Additional robberies followed, on other nights. Mercer and two of the three accomplices returned to Georgetown on the night of July 18, 2003, and robbed and severely beat two women in the 1600 block of 32nd Street, NW. Then, a few weeks later on August 4, 2003, the same trio returned again and robbed two women near 30th and Dumbarton Streets, NW. This time, however, one of the victims was able to get the license plate number of their car as they drove away. By obtaining the license plate of their car, Second District Detectives Juan Davila and Michael Ross were able to locate two of the accomplices, who subsequently confessed to their involvement in the robberies, as well as Mercer's.

Mercer is scheduled to be sentenced on March 31, 2004, by the Honorable Susan H. Winfield of the Superior Court of the District of Columbia.

Detectives Ross and Davila led the investigation of this case. They received assistance from U.S. Attorney's Office investigator Mike Evans. Assistant United States Attorney Brittain McInnis prosecuted the case on behalf of the government.

Hyattsville man sentenced to four-year prison term for stalking and threatening ex-girlfriend. (Case F-5271-03; PSA 209)

FACTS: Jesse Baker, 26, of Hyattsville, Maryland, was sentenced on March 5, 2004, by the Honorable Russell F. Canan to four years of incarceration for stalking and threatening his ex-girlfriend and destroying property belonging to her. On December 17, 2003, a Superior Court jury found Baker guilty of Threats, two counts of Destruction of Property, Contempt of Court and Stalking.

According to the government's evidence, Baker relentlessly stalked, harassed, and threatened the victim, his ex-girlfriend, during a two-week period in August 2003. Baker left repeated messages on the victim's cell phone voice mail in which he threatened to "find" and "kill" her. Baker then went to the victim's workplace, located in the 1800 block of M Street, N.W. (PSA 209), and got into an altercation with employees after which he was arrested. While on release in this case, Baker continued to leave threatening messages for the victim, and then

covered the exterior walls of the victim's workplace, her car, and even the street signs near her home, by spray-painting them with intensely private personal information about her. Baker was again arrested outside of the victim's workplace. Baker was then incarcerated pending trial, and was ordered by a Superior Court Judge not to have any contact with the victim. While in jail, Baker violated the Court's order by repeatedly writing letters to the victim.

In announcing the sentence, United States Attorney Roscoe Howard praised the efforts of Metropolitan Police Department Detective L. D. Williams, Sergeant Albert Mercer and Officers Anthony Baker, Lawrence Glover, William Parr and Dwayne Mitchell. He also commended the work of Paralegal Cynthia Muhammad, Victim Witness Advocates Nicole Gaskin-Lanyan and Maria Shumar, and Krystal Coates for her administrative support. Finally, he thanked Assistant United States Attorneys Roy Austin and Jeannie Rhee, who prosecuted the case.

Defendant Rodney Burton is found guilty of Possession of Cocaine found during traffic stop at Jefferson Drive, NW and Connecticut Avenue. (F- 3232-03; PSA 207)

FACTS: Rodney Burton, age 35, of the 200 block of Harry S. Turman Dr., Upper Marlboro, MD was found guilty of Possession of Cocaine. On June 4, 2003 at 12:42 a.m., Sergeant Ferstl was patrolling when he noticed a blue Ford SUV parked on the curb of Connecticut Avenue, southbound, at Jefferson Drive, NW. The SUV had tiny strobe lights on the sides, dark tint and no front tag. The sergeant approached the SUV, and asked defendant, who was driving, for his registration and driver's license. After learning that defendant's driver's license was suspended, Sergeant Ferstl placed defendant under arrest and searched the front passenger area of the SUV. He found \$500 worth of cocaine in the middle console. After Mirandizing defendant, he questioned defendant about the cocaine, and defendant eventually admitted it was his.

Sergeant Ferstl continued searching the SUV, and found a gray plastic bag in the back, containing \$8000 worth of cocaine and a digital scale. The officer also found sandwich bags on the back seat. Defendant denied ownership of the items found in the back of the car. In fact, his defense at trial was that he and 10 friends had traveled to South Carolina to party, and that one of them, or someone he gave a ride to in South Carolina, must have left the additional drugs, and the scale, in the back of defendant's vehicle.

Defendant moved to suppress his statements claiming that the officer did not have probable cause to arrest him because the officer later learned that defendant's driver's license was not in fact suspended. Although Sergeant Ferstl initially learned that defendant's license was suspended through a computer check at the time of the stop, he later went to DMV to get a copy of the defendant's driving records, and learned that defendant's license had been reinstated. Judge Thomas Motley denied defendant's motion to suppress, on the ground that it was only the information that the officer knew at the time of the stop that was relevant in determining whether there was probable cause for the arrest.

Regarding the charge of Possession with Intent to Distribute the \$8000 worth of drugs in the back seat, the jury had a doubt, and found the defendant not guilty.



DEFENDANTS WHO WERE CONVICTED IN FIREARMS CASES

Under the Project Safe Neighborhoods (PSN) initiative, 26 persons were convicted of firearms offenses in February, 2004. PSN is a partnership between local and federal agencies to reduce gun violence in the District of Columbia. The following is a list of offenses which occurred in this district:

Kevin Carren was sentenced to 3 years incarceration by Judge Susan Winfield on February 23, 2004, following his guilty plea to the charge of Carrying a Pistol without a License (CPWL). Carren was initially arrested on September 25, 2002 in the 300 blk of Albemarle Street, N.W. (PSA 201)

U.S. Attorney's Office Web site

The United States Attorney's Office maintains a web site with additional information concerning Office personnel and activities. The web site is: www.DCcommunityprosecution.gov

**The Following Report, Titled “Papered Arrests”
Contains Details on Arrests and Charges Filed
Against Defendants in this District.**

**UNITED STATES ATTORNEY'S OFFICE PAPERED COMMUNITY PROSECUTION
PAPERED ARRESTS**

Criteria Entered; Arrest Date: 02/01/2004 - 02/29/2004, District: 2D, Sort: PSA, Arrest Date

PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
201	02/03/2004 03:30	04014752	UCSA POSS MARIJUANA AMANDA J. WILLIAMS	STEWART, ADAM R	M0098704	SC, MISDEMEANOR SECTION 6416 UTAH AVE NW
201	02/12/2004 01:45	04019120	UCSA POSS MARIJUANA M. KENDALL DAY	JONES, DELVIN R	M0129004	SC, MISDEMEANOR SECTION 4201 CONN AVE NW
201	02/17/2004 18:15	04021769	UNLAWFUL ENTRY AARON H. MENDELSON	SELLERS, BENJAMIN E	M0153304	SC, MISDEMEANOR SECTION 4849 CONNECTICUT AVE NW
202	02/13/2004 14:25	04019815	SHOPLIFTING ROBERT E. LEIDENHEIMER	WATSON, ANTONIAN D	M0139504	SC, MISDEMEANOR SECTION 5335 WIS AVE NW
204	02/07/2004 08:30	04100741	SIMPLE ASSAULT RIKKI D. MCCOY	WOOLEN, JAMES D	M0112204	SC, MISDEMEANOR SECTION 2922 NEWARK ST. NW
204	02/18/2004 21:00	04022329	RECEIVE STOLEN GOODS ROBERT E. LEIDENHEIMER	FLEET, EUGENE	M0155304	SC, MISDEMEANOR SECTION R STREET @ NEW HAMPSHIRE
204	02/21/2004 09:21	04023537	ATTEMPTED ROBBERY TIMOTHY G. LYNCH	GADDY, BRUCE W	F0119104	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 2300 BLOCK CALVERT STREE

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PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
205	02/18/2004 14:45	04022120	ROBBERY TIMOTHY G. LYNCH	HILEMARIAN, DAGEM	F0116904	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 2700 Q STREET NW
206	02/01/2004 15:00	04014100	ATT THEFT 2ND DEGREE WALTER C. BOYD	SCOTT, KEVIN	M0094604	SC, MISDEMEANOR SECTION 1075 THOMAS JEFFERSON ST
206	02/10/2004 19:55	04018478	THEFT 2ND DEGREE EDWARD S. KEEFE	CURRY, AMANDA D	M0151204	SC, MISDEMEANOR SECTION 3111 M ST NW
206	02/11/2004 22:40	04019078	THEFT 2ND DEGREE	TAYLOR, KYONA R	M0177104	SC, MISDEMEANOR SECTION 3111 M ST NW
206	02/11/2004 22:40	04019078	THEFT 2ND DEGREE AMANDA J. WILLIAMS	HELTON, LAWON R	M0177404	SC, MISDEMEANOR SECTION 3111 M ST NW
206	02/12/2004 21:25	04019538	THEFT 2ND DEGREE TRACY N. FERGUSON	HELLER, MONICA	M0134904	SC, MISDEMEANOR SECTION 3111 M ST N.W.
206	02/12/2004 22:50	04019563	SIMPLE ASSAULT WALTER C. BOYD	ABARCA, DIMAS A	M0134404	SC, MISDEMEANOR SECTION 3200 BLK POTOMAC & M ST

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206	02/13/2004 12:30	04019792	CARRY PISTOL W/OUT LICENSE-OUTSIDE HOME/BUSIN TIMOTHY G. LYNCH	GANT, OCTUAN	F0103504	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 1000 THOMAS JEFFERSON
206	02/13/2004 17:40	04019965	THEFT 2ND DEGREE EDWARD S. KEEFE	WOODS, TAMIKA	M0177504	SC, MISDEMEANOR SECTION 3111 M ST NW
206	02/14/2004 01:20	04020155	SIMPLE ASSAULT	MENY-PLUNKETT, RAYMOND J	M0201304	SC, MISDEMEANOR SECTION 3200 M ST N.W.
206	02/14/2004 01:20	04020155	THEFT 2ND DEGREE EDWARD S. KEEFE	WOODS, TAMIKA	M0177504	SC, MISDEMEANOR SECTION 3200 M ST N.W.
206	02/14/2004 01:55	04020173	ADW TIMOTHY G. LYNCH	FLONEZ, GERSON B	F0102604	SC, COMMUNITY PROSECUTION/GRAND JURY SECTION 1200 POTOMAC ST N.W.
206	02/15/2004 01:05	04020651	SIMPLE ASSAULT JESSIE K. LIU	TOWNSEND, COURTNEY	M0146204	SC, MISDEMEANOR SECTION 3700 O ST. NW
206	02/18/2004 22:50	04022351	THEFT 2ND DEGREE	SMITH, GENORA	M0208604	SC, MISDEMEANOR SECTION 3111 M STREET NW

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206	02/23/2004 17:55	04024664	SHOPLIFTING	GOODELL, LAURA C	M0227804	SC, MISDEMEANOR SECTION 3111 M ST NW
206	02/27/2004 02:35	04024920	THEFT 2ND DEGREE	BUTLER, JEROME A	M0192404	SC, MISDEMEANOR SECTION 1500 28TH ST NW
206	02/27/2004 14:15	04026648	SIMPLE ASSAULT AMANDA J. WILLIAMS	HUSSEIN, MOHAMOUD N	M0200604	SC, MISDEMEANOR SECTION 3225 M ST NW
207	02/29/2004 04:00	04027560	UCSA POSS MARIJUANA TIMOTHY J. KELLY	LANCE, PATRICK B	M0195904	SC, MISDEMEANOR SECTION 950 24TH STREET NW, APT. 806
208	02/01/2004 00:55	04013906	THEFT 2ND DEGREE AARON H. MENDELSON	CORD, SUSZAN	M0122704	SC, MISDEMEANOR SECTION 2000 PENNSYLVANIA AVE NW
208	02/13/2004 16:30	04000892	THREATS BODILY HARM WALTER C. BOYD	HARTSFIELD, BRYAN M	M0140704	SC, MISDEMEANOR SECTION 1724 F ST NW
208	02/24/2004 23:55	04025327	UCSA POSS MARIJUANA	SOKOLOFF, GREGG	M0227104	SC, MISDEMEANOR SECTION 2020 F STREET NW, APT. 420

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PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
208	02/24/2004 23:59	04025327	UCSA POSS MARIJUANA	ZIMET, HANNAH M	M0227004	SC, MISDEMEANOR SECTION 2020 F STREET NW
208	02/25/2004 18:52	04005481	UCSA POSS MARIJUANA NATASHIA TIDWELL	HOWARD, DAVID T	M0179204	SC, MISDEMEANOR SECTION 17TH ST @ G ST NW
208	02/29/2004 16:00	04027700	THEFT 2ND DEGREE STEVEN R. KAUFMAN	ELIAN, JOSEPH D	M0195504	SC, MISDEMEANOR SECTION 1900 M ST NW
209	02/09/2004 09:53	04017640	SIMPLE ASSAULT NATASHIA TIDWELL	PENAMON, WILLIAM H	M0118504	SC, MISDEMEANOR SECTION 17TH & H NW
209	02/14/2004 05:05	04020242	UCSA POSS COCAINE VASU B. MUTHYALA	ALY, FOFANA	M0146304	SC, MISDEMEANOR SECTION 1800 JEFFERSON PL N.W.
209	02/19/2004 12:55	04022587	SIMPLE ASSAULT	ARMSTRONG, LASHUNN	M0217804	SC, MISDEMEANOR SECTION 1719 K ST. NW
209	02/20/2004 19:15	04023193	THEFT 2ND DEGREE NATASHIA TIDWELL	SARAVIA, OVIDIO A	M0163804	SC, MISDEMEANOR SECTION 1225 CT AVE N.W.

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PSA	ARREST DATE	CCN	PAPERD LEAD CHARGE & AUSA'S NAME	DEFENDANT'S NAME	PAPERED CASES	SECTION ASSIGNMENT & LOCATION OF OFFENSE
209	02/22/2004 03:10	04023968	SIMPLE ASSAULT RIKKI D. MCCOY	LOFTUS, DANIEL P	M0178904	SC, MISDEMEANOR SECTION 1800 M STREET NW
209	02/22/2004 03:10	04023968	SIMPLE ASSAULT RIKKI D. MCCOY	KARWAN, SOHIL A	M0179004	SC, MISDEMEANOR SECTION 1800 M STREET NW